



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,666	07/09/2003	Juliana H. J. Brooks	BKL 113 (c)	9834
26818	7590	06/24/2008		
MARK G. MORTENSON POST OFFICE BOX 310 NORTH EAST, MD 21901-0310			EXAMINER WONG, EDNA	
			ART UNIT	PAPER NUMBER
			1795	
			MAIL DATE	DELIVERY MODE
			06/24/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/615,666	Applicant(s) BROOKS ET AL.	
	Examiner EDNA WONG	Art Unit 1795	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,22,23,26 and 28 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,22,23,26 and 28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>April 25, 2008</u> . | 6) <input type="checkbox"/> Other: _____ |

This is in response to the Amendment dated April 25, 2008. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Response to Arguments

Double Patenting

I. Claims **1-6, 22-23 and 26** have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-26** of copending Application No. **10/203,797** (Brooks et al.).

The rejection of claims 1-6, 22-23 and 26 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-26 of copending Application No. 10/203,797 (Brooks et al.) is as applied in the Office Actions dated June 15, 2006, February 8, 2007 and October 25, 2007 and incorporated herein. The rejection has been maintained for the following reasons:

Applicants request that the obvious-type double patenting rejection be held in abeyance until indication of allowable subject matter herein.

In response, the obvious-type double patenting rejection has been held in abeyance.

II. Claims **1-6, 22-23 and 26** have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-6**

of copending Application No. **10/507,659** (Brooks et al.).

The rejection of claims 1-6, 22-23 and 26 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of copending Application No. 10/507,659 (Brooks et al.) is as applied in the Office Actions dated June 15, 2006, February 8, 2007 and October 25, 2007 and incorporated herein. The rejection has been maintained for the following reasons:

Applicants request that the obvious-type double patenting rejection be held in abeyance until indication of allowable subject matter herein.

In response, the obvious-type double patenting rejection has been held in abeyance.

III. Claims **1-6, 22-23 and 26** have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-6** of copending Application No. **10/507,660** (Brooks et al.).

The rejection of claims 1-6, 22-23 and 26 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of copending Application No. 10/507,660 (Brooks et al.) is as applied in the Office Actions dated June 15, 2006, February 8, 2007 and October 25, 2008 and incorporated herein. The rejection has been maintained for the following reasons:

Applicants request that the obvious-type double patenting rejection be held in abeyance until indication of allowable subject matter herein.

In response, the obvious-type double patenting rejection has been held in abeyance.

IV. Claims **1-6, 22-23 and 26** have been provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-6** of copending Application No. **10/508,462** (Blum et al.).

The rejection of claims 1-6, 22-23 and 26 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-6 of copending Application No. 10/508,462 (Brooks et al.) is as applied in the Office Actions dated June 15, 2006, February 8, 2007 and October 25, 2007 and incorporated herein. The rejection has been maintained for the following reasons:

Applicants request that the obvious-type double patenting rejection be held in abeyance until indication of allowable subject matter herein.

In response, the obvious-type double patenting rejection has been held in abeyance.

Claim Rejections - 35 USC § 112

I. Claims **1-6 and 22-23** have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejection of claims 1-6 and 22-23 under 35 U.S.C. 112, second paragraph,

has been withdrawn in view of Applicants' amendment.

II. Claims **2-6 and 23** have been rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: between the fuel cell reaction system and the "applying" step.

The rejection of claims 2-6 and 23 under 35 U.S.C. 112, second paragraph, has been withdrawn in view of Applicants' amendment.

Claim Rejections - 35 USC § 102/103

I. Claims **1-4 and 26** have been rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Brooks et al.** (US Patent No. 6,033,531).

The rejection of claims 1-4 and 26 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Brooks et al. has been withdrawn in view of Applicants' amendment.

II. Claims **1-6 and 26** have been rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Kawamura et al.** (US Patent No. 6,706,431 B2).

With regards to claims **1-6**, the rejection under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kawamura et al. has been withdrawn in view of Applicants' amendment.

With regards to claim **26**, the rejection under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kawamura et al. is as applied in the Office Action dated October 25, 2008 and incorporate herein. The rejection has been maintained for the following reasons:

Applicants state that limitations recited in the pending claims are not disclosed or suggested in any of the prior art references.

In response, Kawamura teaches irradiating the second electrode with blue color diode light (col. 6, lines 63-64). The second electrode formed from a carbon material selected from the group consisting of fullerene, carbon nanotube, carbon nanohorn, carbon nanofiber and metal encapsulated fullerene reads on a physical catalyst support material.

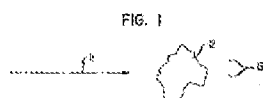
III. Claims **1, 22 and 26** have been rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Brus et al.** (US Patent No. 4,481,091).

With regards to claims **1 and 22**, the rejection under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Brus et al. has been withdrawn in view of Applicants' amendment.

With regards to claim **26**, the rejection under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Brus et al. is as applied in the Office Action dated October 25, 2008 and incorporate herein. The rejection has been maintained for the following reasons:

Applicants state that limitations recited in the pending claims are not disclosed or suggested in any of the prior art references.

In response, Brus teaches that appropriate electromagnetic radiation irradiates the field enhancing particle **12**, and reactants. The field in the vicinity of the particle is increased and chemical process involving one or more reactants **13** are thereby



enhanced (=) [col. 4, line 64 to col. 5, line 2; and Fig. 1]. The field enhancing particle **12** reads on a physical promoter.

IV. Claims **1**, **22** and **26** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Cantrell et al.** (US Patent No. 4,690,742).

The rejection of claims 1, 22 and 26 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Cantrell et al. has been withdrawn in view of Applicants' amendment.

V. Claims **1**, **22** and **26** are rejected under 35 U.S.C. 102(b) as anticipated by or, in

the alternative, under 35 U.S.C. 103(a) as obvious over **Oraevskii** ("Directed Stimulation of Chemical Reactions by Laser Radiation, *P. N. Lebedev Physics Institute, Academy of Sciences of the USSR. Translated from Izvestiya Vysshikh Uchebnykh Zavedenii, Radiofizika*, Vol. 17, No. 4, pp. 608-615 [pp. 458-463], April 1974).

With regards to claims **1 and 22**, the rejection under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Oraevskii has been withdrawn in view of Applicants' amendment.

With regards to claim **26**, the rejection under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Oraevskii is as applied in the Office Action dated October 25, 2008 and incorporate herein. The rejection has been maintained for the following reasons:

Applicants state that limitations recited in the pending claims are not disclosed or suggested in any of the prior art references.

In response, Oraevskii teaches that along the way towards the high vibrational levels a competing process exists in the molecules. Having collided with a partner, an excited molecule may increase its vibrational energy at the expense of the vibrational energy of a partner, but it may also transfer its energy of vibrational motion to translational degrees of freedom (page 459). The excitation of the molecule and the transfer of its energy read on a direct resonance conditioning targeting of a physical promoter.

VI. Claim **22** has been rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Brooks et al.** (US Patent No. 6,033,531).

The rejection of claim 22 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Brooks et al. has been withdrawn in view of Applicants' amendment.

VII. Claims **22 and 23** have been rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Kawamura et al.** (US Patent No. 6,706,431 B2).

The rejection of claims 22 and 23 under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Kawamura et al. has been withdrawn in view of Applicants' amendment.

Response to Amendment

Claim Rejections - 35 USC § 112

Claims **26 and 28** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 26

lines 3-4, it appears that the "at least one conditionable participant" is the same

as the at least one conditionable participant recited in claim 26, line 1. However, the claim language is unclear as to whether it is. If it is, then it is suggested that the word -- said -- be inserted after the word "catalyst," in line 3.

Claim 28

lines 6-7, "said at least one conditioned participant" lacks antecedent basis.

line 7, "said at least one conditioning frequency" lacks antecedent basis. See also claim 28, lines 9-10.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

I. Claim **28** is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-26** of copending Application No. **10/203,797** (Brooks et al.). Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

II. Claim **28** is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-6** of copending Application No. **10/507,659** (Brooks et al.). Although the conflicting claims are not identical, they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

III. Claim **28** is provisionally rejected on the ground of nonstatutory obviousness-type

double patenting as being unpatentable over claims **1-6** of copending Application No. **10/507,660** (Brooks et al.). Although the conflicting claims are not identical, they are not patentably distinct from each other because they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

IV. Claim **28** is provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims **1-6, 22-23 and 26** of copending Application No. **10/508,462** (Blum et al). Although the conflicting claims are not identical, they are not patentably distinct from each other because they are not patentably distinct from each other because the subject matter claimed in the instant application is fully disclosed in the referenced copending application and would be covered by any patent granted on that copending application since the referenced copending application and the instant application are claiming common subject matter.

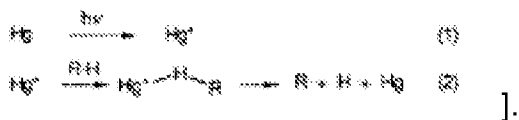
This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102/103

I. Claim **26** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Crabtree et al.** ("Recent Advances in Mercury Photosensitized Reactions", *J. of Molecular Catalysis*, Vol. 74 (1992), pp. 85-95).

Crabtree teaches a method for conditioning at least one conditionable participant in a fuel cell reaction system comprising:

direct resonance conditioning targeting ($= h\nu$), excluding using a spectral conditioning catalyst, at least one conditionable participant selected from the group consisting of solvent, physical catalyst support material, reaction vessel, conditioning reaction vessel, physical promoter and poison ($= \text{Hg}^*$) [page 86:



II. Claim **28** are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Crabtree et al.** ("Recent Advances in Mercury Photosensitized Reactions", *J. of Molecular Catalysis*, Vol. 74 (1992), pp. 85-95).

Crabtree teaches a method for conditioning at least one conditionable participant to form a conditioned participant in a fuel cell reaction system comprising:

applying at least one conditioning energy ($= h\nu$), excluding a spectral conditioning

catalyst, to said at least one conditionable participant selected from the group consisting of solvent, physical catalyst support material, reaction vessel, conditioning reaction vessel, physical promoter and poison ($= \text{Hg}^\bullet$), to cause at least one of the formation, stimulation and stabilization of said at least one conditioned participant ($= \text{Hg}$ excited state), whereby said at least one conditioning frequency comprises at least one frequency selected from the group consisting of direct resonance conditioning frequencies, harmonic resonance conditioning frequencies and non-harmonic heterodyne conditioning resonance frequencies and said at least one conditioning frequency is applied to said at least one conditionable participant (page 86:



) prior to said conditional participant being involved

with said fuel cell reaction system ($=$ nonexistent condition).

III. Claim **28** is rejected under 35 U.S.C. 102(e) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Kawamura et al.** (US Patent No. 6,706,431 B2).

Kawamura teaches a method for conditioning at least one conditionable participant to form a conditioned participant in a fuel cell reaction system comprising:

applying at least one conditioning energy ($=$ blue color diode light), excluding a spectral conditioning catalyst, to said at least one conditionable participant selected from the group consisting of solvent, physical catalyst support material, reaction vessel,

conditioning reaction vessel, physical promoter and poison (= a second electrode formed from a carbon material selected from the group consisting of fullerene, carbon nanotube, carbon nanohorn, carbon nanofiber and metal encapsulated fullerene), to cause at least one of the formation, stimulation and stabilization of said at least one conditioned participant (= the efficiency of the fuel cell may be increased) [col. 2, lines 57-59], whereby said at least one conditioning frequency comprises at least one frequency selected from the group consisting of direct resonance conditioning frequencies, harmonic resonance conditioning frequencies and non-harmonic heterodyne conditioning resonance frequencies and said at least one conditioning frequency is applied to said at least one conditionable participant (= from the blue color diode light) [col. 6, claim 6] prior to said conditional participant being involved with said fuel cell reaction system (= nonexistent condition).

IV. Claim **28** is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Brus et al.** (US Patent No. 4,481,091).

Brus teaches a method for conditioning at least one conditionable participant to form a conditioned participant in a fuel cell reaction system comprising:

applying at least one conditioning energy (= electromagnetic radiation), excluding a spectral conditioning catalyst, to said at least one conditionable participant selected from the group consisting of solvent, physical catalyst support material, reaction vessel,

conditioning reaction vessel, physical promoter and poison (= a field enhancing particle **12**), to cause at least one of the formation, stimulation and stabilization of said at least one conditioned participant (= the field in the vicinity of the particle is increased) [col. 4, line 64 to col. 5, line 2], whereby said at least one conditioning frequency comprises at least one frequency selected from the group consisting of direct resonance conditioning frequencies, harmonic resonance conditioning frequencies and non-harmonic heterodyne conditioning resonance frequencies and said at least one conditioning frequency is applied to said at least one conditionable participant (= dielectric resonance phenomena) [col. 4, lines 39-52] prior to said conditional participant being involved with said fuel cell reaction system (= nonexistent condition).

V. Claim **28** is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over **Oraevskii** ("Directed Stimulation of Chemical Reactions by Laser Radiation", *P. N. Lebedev Physics Institute, Academy of Sciences of the USSR. Translated from Izvestiya Vysshikh Uchebnykh Zavedenii, Radiofizika*, Vol. 17, No. 4, pp. 608-615 [pp. 458-463], April 1974).

Oraevskii teaches a method for conditioning at least one conditionable participant to form a conditioned participant in a fuel cell reaction system comprising:

applying at least one conditioning energy (= laser radiation), excluding a spectral conditioning catalyst, to said at least one conditionable participant selected from the group consisting of solvent, physical catalyst support material, reaction vessel,

conditioning reaction vessel, physical promoter and poison (= a molecule), to cause at least one of the formation, stimulation and stabilization of said at least one conditioned participant (= an excited molecule), whereby said at least one conditioning frequency comprises at least one frequency selected from the group consisting of direct resonance conditioning frequencies, harmonic resonance conditioning frequencies and non-harmonic heterodyne conditioning resonance frequencies and said at least one conditioning frequency is applied to said at least one conditionable participant (vibration-vibration energy exchange) [page 459; and Figs. 1-2] prior to said conditional participant being involved with said fuel cell reaction system (= nonexistent condition).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to EDNA WONG whose telephone number is (571) 272-1349. The examiner can normally be reached on Mon-Fri 7:30 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nam Nguyen can be reached on (571) 272-1342. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/615,666
Art Unit: 1795

Page 19

/Edna Wong/
Primary Examiner
Art Unit 1795

EW
June 19, 2008